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August 31, 2011

REDACTED VERSION

The Honorable Leonard P. Stark
United States District Court
844 North King Street
Wilmington, Delaware 19801

Re: SoftView LLC v. Apple Inc. et al., Civil Action No. 10-cv-389-LPS

Dear Judge Stark:

We write on behalf of Plaintiff SoftView LLC to request an order compelling Defendant Apple Inc. to collect and produce the relevant documents of certain Apple employees.

This case involves SoftView's patented technology for the scalable display of Web content on the screens of mobile devices. Because mobile device screens are smaller than those of desktop computers, users typically must zoom and pan on those devices to make use of Web content. Scalable display permits rapid zooming and panning while preserving the original layout and functionality of the Web content. Zooming with pinch gestures and panning with finger flicks are common and widely adopted today on mobile devices. But when SoftView invented and developed the patented technology in 1999 and 2000, it was a breakthrough technology quite unlike the mobile display systems of the time, which did not preserve layout and made it difficult, if not impossible, to view and use Web content.

The iPhone, iPod touch, and iPad are the accused Apple devices in this case. Apple first introduced the iPhone in 2007. The iPhone runs Apple's "iOS" operating system and displays Web pages using Apple's Mobile Safari browser. Web pages in Mobile Safari are rendered (*i.e.*, drawn) so that original layout is preserved and a user can zoom and pan. The iPod touch and iPad have incorporated this functionality. The Mobile Safari application does not accomplish these functions all on its own. Instead, it makes use of an underlying layout engine called WebKit. *See* Ex. 1, What Is Safari?, *available at* <http://www.apple.com/safari/what-is.html> ("WebKit is the technology at the heart of Safari."). Mobile Safari also uses various components in the iOS for graphics operations. These other components include Quartz, Cocoa Touch and other components. *See* Ex. 2, iOS Cocoa Touch, *available at* <http://developer.apple.com/technologies/ios/cocoa-touch.html>; Ex. 3, iOS Graphics & Animation, *available at* <http://developer.apple.com/technologies/ios/graphics-and-animation.html>. Each of these components is important for the ultimate functions of zooming and panning Web content while preserving original layout.

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SoftView seeks Apple's technical documents relating to zooming, panning, and the rendering of Web content. In its document requests served last December, SoftView informed Apple that certain individuals were highly likely to possess relevant technical documents and that those documents should be produced. Ex. 4, SoftView LLC's First Set of Requests for Production to Apple Inc. at 8 ("Request For Production No. 8: All DOCUMENTS created or revised by David Hyatt, Bill Dudney, Allan Schaffer, Richard Williamson, Darin Adler, Marciej Stachowiak, Adele Peterson, John Stauffer, Michael Levy, Andrew Platzer, or Richard Schreyer which RELATE TO WebKit, Mobile Safari, Safari, Quartz, Quartz 2D, Core Animation, iOS or Cocoa Touch.").

Soon thereafter, Apple identified Darin Adler (one of the individuals originally named in SoftView's request) in response to interrogatories requesting identification of those "most knowledgeable regarding the structure, operation, and function of Apple devices with regard to the rendering of Web pages" and "with regard to zooming and panning." Ex. 5, Apple's Objections and Responses to SoftView LLC's First Set of Interrogatories (Nos. 1-10), Jan. 3, 2011, at 18-20.

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—WebKit—is "a layout engine designed to allow web browsers to render web pages." Ex. 12, WebKit Wikipedia Page, *available at* <http://en.wikipedia.org/wiki/WebKit>.

For these reasons, SoftView requests an order from the Court compelling Apple to collect and produce relevant documents¹ from the following custodians: Bill Dudney, Michael Levy, Adele Peterson, Allan Schaffer, Richard Schreyer, Maciej Stachowiak, and John Stauffer.

¹ In light of Apple's stated reasons for refusing to collect these custodians' documents, SoftView is currently conferring with Apple regarding the production of relevant documents (from undisputed custodians) and the determination of relevance as it affects Apple's responses to SoftView's requests for production. SoftView reserves its rights but is seeking through these discussions, coupled with an order from the Court compelling the collection of the disputed custodians' documents, to avoid the need for further Court intervention with respect to production of relevant Apple technical documents.

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Sincerely,

/s/ Steven Caponi

Steven Caponi

cc: All Counsel of Record

EXHIBITS 6 THROUGH 11 REDACTED IN THEIR ENTIRETY